

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.915 OF 2005
IN
SECOND APPEAL NO.754 OF 2004

Office Notes, Office Memoranda
of Coram, appearances, Court's
Orders or directions and
Registrar's Orders

Court's or Judge's Orders

Mr.S.M.Gorwadkar for applicant

Mr.A.R.Shaikh for respondent

CORAM : P.V.KAKADE, J.

DATE : 26TH AUGUST, 2005

P.C.:

. Heard the learned counsel for both the parties. Perused the record including the Undertaking and final Order disposing of the Second Appeal. It appears in clause 3 of the Undertaking the word "rent" is used by the concerned parties. In this regard, having taken into account the rival contentions, I am satisfied that use of word "rent" may create some complications while handing over possession of the property and

therefore, the word "rent" should be replaced by the word "compensation". In view of this aspect, it is hereby directed that the appellant shall file modified Undertaking using the word "compensation" instead of word "rent" in clause 3 thereof within four weeks from the date of this order. With this direction the Civil Application stands disposed of.